REMARKS

The Official Action mailed December 15, 2009, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on April 13, 2004; June 11, 2008; and March 9, 2009.

Claims 1-127, 129 and 130 are pending in the present application, of which claims 1-7, 100 and 101 are independent. Claims 1-7, 100 and 101 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1-61, 68-127, 129 and 130 as obvious based on the combination of JP 11-125841 to Chiyou and U.S. Patent No. 7,196,699 to Kubota. The Official Action rejects dependent claims 62-67 as obvious based on the combination of Chiyou, Kubota and U.S. Patent No. 6,246,180 to Nishigaki. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the

problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 1-7, 100 and 101 have been amended to recite that each of a plurality of pixels comprises a sensor portion and a liquid crystal element portion; and a second circuit, configured based on the timing signal such that the sensor portion is not selected when the liquid crystal element portion is selected, and the liquid crystal element portion is not selected when the sensor portion is selected, supported in the specification, at least, by Figure 2. For example, independent claims 1, 100 and 101 have been amended to recite that the second circuit is configured to select the sensor portion or the liquid crystal element portion based on the timing signal such that the sensor portion is not selected when the liquid crystal element portion is selected, and the liquid crystal element portion is not selected when the sensor portion is selected. Independent claims 2-7, as amended, recite similar features, with respect to the output of a pulse signal, a non-selection signal and a selection signal. The Applicant respectfully submits that Chiyou, Kubota and Nishigaki, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since Chiyou, Kubota and Nishigaki do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,

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